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REMARKS

Applicant wishes to thank the Examiner for the courtesies extended during the teleconference with applicant's representative Mr. Knox, on November 6, 2006. The following is a summary of that teleconference and a response to the Advisory Action.

Claims 1-6, 15-19, 24-30, 38-43, 53-56, 61-67 and 75-78 stand rejected under 35 USC 102(b) as being anticipated by Cummings et al (US 6,194,867).

Claims 7-14, 20-23, 31-37, 44-52, 57-60 and 68-74 stand rejected under 35 USC 103(a) as being unpatentable over Cummings et al (US 6,194,867).

Claims 1, 38, 75, 76, 77 and 78 are the independent claims of this application.

The Examiner has kindly indicated that for purposes of appeal, the proposed amendments filed July 10, 2006 will be entered. The following comments therefore relate to the claims as amended July 10, 2006.

Each of the independent claims except claim 78 recites in one form or another, applying a pulse of charging current to the most discharged battery for at least part of a period of time less than a period of time required to fully charge the most discharged battery up to the same charge as a next most discharged battery in the system, before identifying a succeeding most discharged battery in the system.

Claim 78 recites applying pulses of changing current to individual batteries or battery packs.

Applicant's representative appointed out to the Examiner that there were three main areas of difference between the claimed invention and that of the Cummings et al reference. These are:

the application of a pulsed charging current,

the duration of the pulse being for a first period of time less than the time required to fully charge the most discharged battery; and

successively identifying the most discharged battery.